

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-13 are pending in the application. Several claims have been amended to better define the claimed invention. New claim 13 has been added to provide Applicants with the scope of protection to which they are believed entitled. The amended/new claims find solid support in the original specification and drawings. The Abstract has been placed in compliance with commonly accepted US patent practice. No new matter has been introduced through the foregoing amendments.

The **objections** to the Abstract and claim 3 as well as the ***35 U.S.C. 112, second paragraph rejection of claims 3-5*** are believed overcome in view of the above amendments.

The **obviousness rejection of claims 1-7** is noted. Applicants respectfully traverse the rejection because the teaching reference of U.S. Publication No. 2003/0103446 in the name of *Negishi* is not prior art. In particular, *Negishi* does not have a *102(e)* date¹ because the corresponding PCT application (PCT/JP01/07317) was published (WO 02/017524) in Japanese,² i.e., not in English. The earliest reference date of *Negishi* is its international publication date (February 28, 2002) which postdates the US filing date (December 31, 2001) of the instant application.

Accordingly, Applicants respectfully submit that the ***35 U.S.C. 103(a)*** rejection relying on *Negishi* is improper and should be withdrawn.

¹ See MPEP, section 706.02(f)(1), Example 5.

² See attached *Exhibit A*.

The **obviousness rejection of claims 9-12** over *Kuh, Yun, Sheets, and Liu* is also noted. Although Applicants do not necessarily agree with the Examiner's position, amendments have nevertheless been made to specifically avoid the rejection, solely for the purpose of expediting prosecution. In particular, independent claim 9 has been amended to positively claim that the claimed system is configured to handle both digital terrestrial broadcasting signals and digital satellite television broadcasting signals. None of the applied references appear to fairly teach or suggest the capability of handling satellite TV broadcasting as presently claimed.

Indeed, the closest references appear to be *Kuh* and *Yun*. *Kuh* relates to

A digital television translator includes a digital television receiver for receiving a first digital television signal at a first frequency and generating a digital transport stream from the first digital television signal. The digital transport stream can include original Program and System Information (PSIP) data having RX channel data that is indicative of the first frequency, the first major channel number, and/or the first minor channel number. The digital television translator also includes a PSIP update module for updating the original PSIP data in the digital transport stream by replacing the RX channel data with TX channel data. The TX data is indicative of a second frequency, a second major channel number, and/or a second minor channel number. The digital television translator further includes a digital television modulator for converting the digital transport stream having the updated PSIP data into a second digital television signal at the second frequency, where the second frequency can be the same or different from the first frequency.³

The reference mentions terrestrial broadcasting handling at its claims 5, 7, 16, 18, and column 5 line 4. However, *Kuh* fails to mention any satellite TV broadcasting handling.

Yun relates to

A combined terrestrial wave/cable broadcast receiver is disclosed which identifies if a cable broadcast program being carried and received or a cable broadcast program to be received is a HD broadcast and receives a HD broadcast from a terrestrial wave broadcasting station in the form of a HD terrestrial wave broadcast automatically or according to a user's selection, and a program information processing method therefor which processes program information such that it can identify a cable broadcast program as a HD broadcast in an EIT. In a program information processing method for a combined

³ See Abstract of *Kuh*.

terrestrial wave/cable broadcast receiver for receiving a broadcast signal and indicating the characteristics of the broadcast signal, the program information processing method for the combined terrestrial wave/cable broadcast receiver according to the present invention includes the steps of: analyzing an A/V stream for storing the same; reading a data to be displayed on a predetermined display according to a user's selection; judging if the read data contains a HD descriptor and other descriptors; and displaying a broadcast program by adding an indicator for indicating that a cable broadcast program is a HD program, if there exists a HD descriptor.⁴

Like *Kuh*, *Yun* is concerned with terrestrial broadcasting only, and fails to teach or suggest the claimed satellite TV broadcasting handling.

The teaching reference of *Sheets* is non-analogous art belonging to the remote field of LAN.⁵ There is no reason why a person of ordinary skill in the art of TV broadcasting would have looked at the remote LAN art of *Sheets* for a solution to the problem he /she is facing. The 35 U.S.C. 103(a) rejection relying on *Sheets* is therefore improper.

The other teaching reference of *Liu* is also not specifically related to satellite TV broadcasting. The reference even fails to mention any TV broadcasting handling.⁶

Accordingly, Applicants respectfully submit that even if the references were combinable in the manner suggested by the Examiner, which Applicants contend to the contrary, the combined system would still lack the claimed satellite TV broadcasting handling because none of the references teach or suggest such.

In addition, Applicants respectfully submit that the claimed program and PSIP protocol converters are completely different from the prior art converters disclosed by *Sheets*. Specifically, the converters of *Sheets* are arranged only to provide translation between communication formats of a computer and various stations.⁷ In contrast, the program and PSIP

⁴ See Abstract of *Yun*.

⁵ See Title of *Sheets*.

⁶ See, for example, Abstract of *Liu*.

⁷ See, *Sheets* at column 2 lines 41-55.

converters are configured to analyze a terrestrial broadcasting TS and a satellite broadcasting TS and to output a cable broadcasting TS. Therefore, *Sheets* does not disclose or suggest the program and PSIP converters of the claimed invention.

For any of the reasons detailed above, Accordingly, Applicants respectfully submit that the *35 U.S.C. 103(a)* rejection of claims 9-12 is improper and should be withdrawn.

New claim 13 is considered patentable at least for the reasons advanced with respect to independent claim 9 from which claim 13 depends. Claim 13 is also patentable on its own merit since it is specifically directed to satellite broadcasting handling which is neither disclosed, taught nor suggested by the applied art, as discussed in the foregoing sections.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under *37 C.F.R. 1.136* is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP

/Yoon S Ham/
Yoon S. Ham
Registration No. 45,307

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
YSM/ERM
(703) 684-1111
(703) 518-5499 Facsimile
Date: